



# PUBLIC NOTICE

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DA 21-1335

Released: October 25, 2021

## NOTICE CONCERNING EX PARTE STATUS OF INFORMATION SUBMITTED TO THE NORTH AMERICAN NUMBERING COUNCIL

### CC Docket No. 92-237

In September 2021, the Federal Communications Commission (FCC or Commission) announced the updated membership of the North American Numbering Council (Council or NANC),<sup>1</sup> and more recently the membership of its working groups.<sup>2</sup> The NANC is a federal advisory committee created to advise the Commission on numbering issues and make recommendations that foster efficient and impartial number administration. It is organized under, and operates in accordance with, the provisions of the Federal Advisory Committee Act (FACA).<sup>3</sup>

Under the FACA, the Commission is responsible for oversight of the NANC, including its working groups and any subcommittees.<sup>4</sup> As a result, FCC Commissioners and staff may participate in or attend meetings or other activities held by both the NANC and its working groups and subcommittees. For this reason, we hereby announce that, pursuant to section 1.1200(a) of the Commission's rules, 47 CFR § 1.1200(a), presentations to the NANC, including to its working groups and subcommittees, and at any roundtable discussions sponsored by the NANC, as well as presentations between NANC members (including members of any working groups and subcommittees) and FCC Commissioners or staff incidental to and in connection with such NANC meetings or roundtable discussions, will be treated as exempt presentations for *ex parte* purposes.<sup>5</sup> This exemption covers presentations from NANC members to FCC Commissioners and staff in other settings only to the extent that the NANC members are presenting the views of the NANC or its working groups, as opposed to an individual member's own views or that of a member's organization. We find that this modification of the *ex parte* rules is in the public interest because it will allow the NANC to develop and shape its advice and recommendations to the Commission more efficiently and effectively.

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<sup>1</sup> *FCC Announces Plans to Re-Charter the North American Numbering Council and Solicits Nominations for Membership*, Public Notice, 36 FCC Rcd 4174 (WCB 2021); *FCC Announces Membership of the Rechartered North American Numbering Council and Date of its First Meeting*, Public Notice, 86 FR 47497 (2021).

<sup>2</sup> *FCC Announces Additional Membership to the North American Numbering Council and Membership to the Working Groups*, Public Notice, DA 21-1261 (WCB 2021).

<sup>3</sup> See 5 U.S.C. App. 2.

<sup>4</sup> See *id.*

<sup>5</sup> Exempt presentations are not subject to the restrictions and reporting requirements that otherwise would apply to *ex parte* presentations and presentations made during the Sunshine Agenda Period. See 47 CFR § 1.1204 (a) (providing that *exempt ex parte* presentations are not subject to the prohibitions in sections 1.1203 and 1.1208 and the disclosure requirements in section 1.1206). See also 47 CFR §§ 1.1202(a), (b) (definitions of "presentation" and "ex parte presentation").

We recognize that some issues may be addressed by the NANC that are the subject of pending FCC proceedings.<sup>6</sup> The Commission will not rely in these proceedings on any information submitted to the NANC, or to any of its working groups, subcommittees or sponsored roundtables, or information conveyed by NANC members (including members of any working groups and subcommittees) to FCC Commissioners or staff unless that information is first placed in the record of the relevant proceeding.<sup>7</sup>

Additional information regarding the NANC can be found at <https://www.fcc.gov/about-fcc/advisory-committees/general/north-american-numbering-council>. You may also contact Christi Shewman, Designated Federal Officer for the NANC at (202) 418-0646 or [Christi.Shewman@fcc.gov](mailto:Christi.Shewman@fcc.gov); or Jordan Reth, Deputy Designated Federal Officer for the NANC at (202) 418-1418 or [Jordan.Reth@fcc.gov](mailto:Jordan.Reth@fcc.gov).

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<sup>6</sup> See, e.g., *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Declaratory Ruling and Third Notice of Proposed Rulemaking, 34 FCC Rcd 4876 (2019); *Toll Free Assignment Modernization et al.*, Notice of Proposed Rulemaking, 32 FCC Rcd 7885 (2017); *Nationwide Number Portability et al.*, Notice of Inquiry and Notice of Proposed Rulemaking, 32 FCC Rcd 8034 (2017).

<sup>7</sup> This notice updates a prior notice, released during a prior term of the NANC, addressing the *ex parte* status of information submitted to or by the NANC. See *Notice Concerning Ex Parte Status of Information Submitted to the North American Numbering Council*, Public Notice, DA 20-186, 35 FCC Rcd 1510 (WCB 2020). The treatment of *ex parte* presentations specified in this notice shall apply to this and future terms of the NANC unless modified by a subsequent public notice.